UNITED STATES DISTRICT COURT EASTERN DISTRICT TENNESSEE AT KNOXVILLE

GREGORY RINGENBERG)	
Plaintiff,)	
v.)	No. 3:23-CV-00295-DCLC-JEM
)	
UNITED STATES OF AMERICA)	
)	
Defendant.)	

JOINT MOTION TO STAY CASE UNTIL JANUARY 31, 2025

Plaintiff, Gregory Ringenberg, and Defendant, United States of America, by and through Francis M. Hamilton III, United States Attorney for the Eastern District of Tennessee, move the Court for a stay of all dates and deadlines contained in the Scheduling Order (Doc. 21), including the trial date, and the United States' deadline for answering the Second Amended Complaint, through and including January 31, 2025, to allow these parties to continue mediation discussions, to allow the new defendants in this case to be served with process, and to allow those new defendants to express their views on potential avenues for resolution discussed at mediation, as may be appropriate.

On September 19 and 20, 2024, the United States and Plaintiff mediated with the aid of Daryl Fansler, former chancellor for Knox County, Tennessee. The United States and Plaintiff visited the disputed site with the mediator and made considerable progress in considering potential compromises as to the disputes between them. Though progress was made, the parties believe they need additional time to confer with the private litigants - especially the new litigants who own property abutting the areas of dispute between the United States' land and Plaintiff's land – about options for resolution of this case. The United States and Plaintiff submit that staying the dates

and deadlines in the present scheduling order and with regard to the United States' response to the Second Amended Complaint will allow the parties time to vet the potential resolutions.

A brief delay in discovery and the trial of this matter will not be burdensome or hinder the speedy disposition of justice. *See* Fed. R. Civ. P. 1. To date, nine depositions have been completed in this matter, and expert disclosures – as well as thousands of pages of documents – have been exchanged. This case was filed approximately a year ago, and a brief pause in the litigation will not cause undue delay or burden. To the contrary, if an amicable resolution can be reached, a stay will conserve party and judicial resources, and continuing to expend resources on expert depositions and other matters at this juncture may put an amicable resolution out of reach. Finally, Plaintiff has added numerous additional persons to this litigation and is in the process of serving those persons. A stay will allow orderly disposition of that process and prevent potential duplication of efforts once those parties join the litigation. In sum, the United States and Plaintiff submit that there is good cause to stay the pretrial litigation deadlines in this matter as more fully described below. *See Romar Sales Corp. v. Seddon*, 2013 WL 141133, at *2 (W.D. Mich. Jan 11, 2013); *Painter-Hart v. Sientra*, Inc., No. 3:20-CV-418, 2021 WL 6327692, at *1 (E.D. Tenn. Mar. 19, 2021).

Specifically, the United States and the Plaintiff move to stay:

- 1. All dates and deadlines contained in the Scheduling Order (Doc. 21), including the trial date; and
- 2. The United States' deadline for answering the Second Amended Complaint (*see* Doc. 64). The parties move to stay these deadlines through the conclusion of January 31, 2025, and will submit a motion to lift stay containing suggested revised dates and deadlines for the Court's consideration or a motion to continue stay stating specific good cause for continuing the stay

– by the close of business (5:00pm ET) on January 31, 2025. As it relates to the new defendants, the United States and Plaintiff do not seek to extend the time for serving the new defendants pursuant to Rule 4 of the Federal Rules of Civil Procedure, nor do the United States and Plaintiff seek to extend the new parties' period for responding to the Second Amended Complaint.

Respectfully Submitted

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